

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 7

April 8, 2016

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON MARCH 15, 2016

**SUBJECT: USE OF CHEWING TOBACCO AND SNUFF – REVISED; AND,
 SMOKING POLICY – REVISED**

PURPOSE: The City of Los Angeles enacted two ordinances which amended the Los Angeles Municipal Code affecting the Department's policy on smoking and the use of chewing tobacco and snuff. This Order revises the Department's smoking policy to now include electronic cigarettes.

PROCEDURE: Attached are the revised Department Manual Sections 1/210.60, *Use of Chewing Tobacco and Snuff*, and 1/210.65, *Smoking Policy*, with the revisions indicated in italics.

AMENDMENTS: This Order amends Sections 1/210.60 and 1/210.65 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.

A handwritten signature in blue ink, appearing to be 'C3' with a flourish, representing Charlie Beck.

CHARLIE BECK
Chief of Police

Attachment

DISTRIBUTION "D"

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210.60 USE OF CHEWING TOBACCO AND SNUFF. Department employees are the most prominent representatives of government and as such *shall* present a professional image at all times. An employee's unwise or unsightly use of chewing tobacco and snuff is offensive to the public and co-workers, and detracts from the professional bearing of the employee. The use of chewing tobacco and snuff is prohibited while on-duty, or off-duty in uniform.

All uniformed Department employees shall not use any type of tobacco or snuff products or hold any tobacco paraphernalia while in public view, except as may be required during the course of their duties.

“Tobacco Paraphernalia” shall mean cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, and any other item designed for the smoking, preparation, storing, or consumption of tobacco products.

“Tobacco Product” is defined as any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis or beedies, hookah tobacco or any other preparation of tobacco.

Note: The term “Tobacco Product” does not include any cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence (nicotine patch).

210.65 SMOKING POLICY. Department employees, both sworn and civilian, *shall* not smoke any type of tobacco product as defined in Department Manual Section 1/210.60, in any enclosed place of employment, including any portion of a building owned or leased by the Department and/or City, and/or City owned/operated vehicles.

“Smoking” shall mean engaging in an act that generates smoke, such as possessing a lighted pipe, a lighted hookah pipe, a lighted cigar, a lighted cigarette, or an operating electronic smoking device.

“Electronic Smoking Device” shall mean an electronic or battery-operated device that delivers vapors for inhalation. This term shall include every variation and type of such devices whether they are manufactured, distributed, marketed or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah pipe or any other product name or descriptor.

All uniformed Department employees shall not smoke any types of tobacco products or hold any smoking devices, electronic smoking devices or tobacco paraphernalia, as defined in Department Manual Section 1/210.60, while in public view, except as may be required during the course of their duties.

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For the purpose of this policy, uniformed officers assigned to field duties or who, with the approval of their commanding officer, are representing the Department in an activity for which the uniform is being worn (Manual Section 3/606.15), are considered on-duty. *All plainclothes employees conducting official Department business are prohibited and shall not smoke any type of tobacco products or hold any smoking devices, electronic smoking devices or tobacco paraphernalia while in public view, or while engaged in contact with a citizen or while in a residence or business.*

Commanding officers *shall* designate an appropriate outdoor location(s) within their commands where employees will be allowed to smoke. Designated smoking areas should not be visible to the general public *and shall not be within 20 feet of a main exit, entrance or operable window, or inside a public building owned and occupied or leased and occupied by the City.*

The Commanding Officer, Administrative Services Bureau, is responsible for *designating an appropriate outdoor location(s) where employees will be allowed to smoke at the Police Administration Building.*